

IN THE COURT OF APPEALS
FIRST APPELLATE DISTRICT OF OHIO
HAMILTON COUNTY, OHIO

STATE OF OHIO,	:	APPEAL NO. C-090078
	:	TRIAL NO. B-0803863
Plaintiff-Appellee,	:	
	:	<i>JUDGMENT ENTRY.</i>
vs.	:	
COREY CRAVENS,	:	
Defendant-Appellant.	:	

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court.¹

Defendant-appellant, Corey Cravens, appeals the judgment of the Hamilton County Court of Common Pleas convicting him of felonious assault and robbery, both second-degree felonies. He was convicted after a jury trial.

One morning, Bobbie Edwards gave Phillip Barnett a ride in Cravens’s van, in which Cravens was a passenger. Edwards testified that, after Barnett had gotten into the van, she had seen Cravens make several calls on a cellular telephone. Cravens then directed Edwards to pick up Chaz Henry.

A short time after Edwards had picked up Henry, he demanded money from Barnett and shot him in the leg. Barnett gave Henry his money, and Henry then forced him from the van.

Henry testified that he had received a call from Cravens outlining the plan for the robbery. According to Henry, Edwards had given him a “look” as a signal for

¹ See S.Ct.R.Rep.Op. 3(A), App.R. 11.1(E), and Loc.R. 12.

when he was to commit the robbery. Henry further testified that Cravens had shared in the proceeds of the robbery.

The defense rested without presenting evidence. The jury found Cravens guilty of the offenses, and the trial court sentenced him to consecutive seven-year terms of imprisonment.

In his first, second, and third assignments of error, Cravens now argues that the convictions were based on insufficient evidence and were against the manifest weight of the evidence. We address the assignments together.

In the review of the sufficiency of the evidence to support a conviction, the relevant inquiry for the appellate court “is whether, after viewing the evidence in the light most favorable to the prosecution, any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt.”² To reverse a conviction on the manifest weight of the evidence, a reviewing court must review the entire record, weigh the evidence and all reasonable inferences, consider the credibility of the witnesses, and conclude that, in resolving the conflicts in the evidence, the trier of fact clearly lost its way and created a manifest miscarriage of justice.³

The felonious-assault statute, R.C. 2903.11(A)(1), provides that “[n]o person shall knowingly * * * [c]ause serious physical harm to another * * *.” R.C. 2911.02(A)(2), governing robbery, states that “[n]o person, in attempting or committing a theft offense * * * shall * * * [i]nflict, attempt to inflict, or threaten to inflict physical harm on another.”

In this case, the convictions were in accordance with the evidence. The state presented evidence that Cravens had planned the offenses and had shared in the proceeds of the robbery. Although Cravens cites a number of inconsistencies in the

² *State v. Waddy* (1992), 63 Ohio St.3d 424, 430, 588 N.E.2d 819.

³ *State v. Thompkins*, 78 Ohio St.3d 380, 387, 1997-Ohio-52, 678 N.E.2d 541.

state's case, we cannot say that the jury lost its way in finding him guilty. We overrule the first, second, and third assignments of error.

In his fourth assignment of error, Cravens contends that the trial court erred in sentencing him to seven years' incarceration for each offense.

Under *State v. Foster*,⁴ trial courts have full discretion to impose a sentence within the statutory range. In this case, the sentences were within the statutory range for felonies of the second degree, and the record demonstrated that Cravens had an extensive criminal record. Under these circumstances, the trial court did not abuse its discretion, and we overrule the fourth assignment of error.

In the fifth and final assignment of error, Cravens argues that the trial court erred in imposing sentences for both felonious assault and robbery. Specifically, he argues that the offenses were allied offenses of similar import. This argument is without merit, because the commission of one offense would not necessarily result in the commission of the other.⁵ Accordingly, we overrule the fifth assignment of error and affirm the judgment of the trial court.

Further, a certified copy of this judgment entry shall constitute the mandate, which shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

HILDEBRANDT, P.J., CUNNINGHAM and DINKELACKER, JJ.

To the Clerk:

Enter upon the Journal of the Court on December 9, 2009
per order of the Court _____.
Presiding Judge

⁴ 109 Ohio St.3d 1, 2006-Ohio-856, 845 N.E.2d 470.

⁵ *State v. White*, 6th Dist. No. L-07-1196, 2009-Ohio-4587, ¶20.